

REMARKS

Applicant has made a sincere effort to address all of the issues raised in the November 13, 2007 Official Action and to place the application in condition for allowance. Reconsideration is respectfully requested.

In paragraph 1 of the Official Action, the Examiner rejected the proffered amendments to the specification set forth in Applicant's Amendment A dated October 17, 2007. Specifically, the Examiner indicated that the phrase "lacks a discernable geometric pattern" and the term "rock-like" are not supported by the original specification and constitute impermissible new matter. Although Applicant contends that these terms are supported by the specification, Applicant has revised the proffered amendment to traverse the new matter rejection. Specifically, the phrase "lacks a discernable geometric pattern" has been replaced with "a regular geometric pattern is not readily apparent". This later phrase has support in the original specification at page 8, lines 5-6, as noted by the Examiner. The term "rock-like" has been deleted from the proffered amendment. Accordingly, it is submitted that the amendment is proper, and entry is requested.

In paragraphs 3-7 of the Official Action, claims 16, 17, 24, 25 and 33 stand rejected under 35 USC §103. Applicant has cancelled these claims without prejudice to the filing of a continuation application. Accordingly, the rejection is moot.

In paragraph 8 of the Official Action, claims 16, 17 and 24-33 stand provisionally rejected on the grounds of non-statutory double patenting over Applicant's co-pending application No. 11/633,344 filed December 4, 2006. In response, Applicant

submits herewith a terminal disclaimer. It is submitted that the terminal disclaimer obviates the rejection.

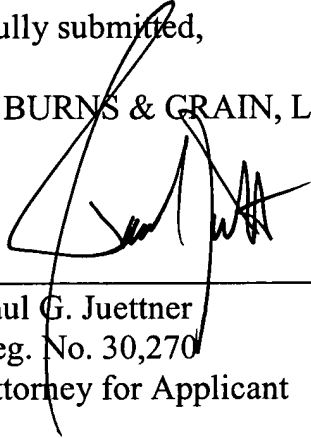
Applicant notes that all currently pending claims, i.e., claims 26-32, have not been rejected over prior art. The only rejection of claims 26-32 was for non-statutory double patenting, which rejection has been obviated by submission of a terminal disclaimer. Applicant has corrected grammatical errors in claim 26. Accordingly, it is submitted that claims 26-32 are in condition for allowance.

For the foregoing reasons, it is submitted that all issues in the subject application have been resolved and the application is in condition for allowance. Early notice of allowance is earnestly solicited.

Respectfully submitted,

GREER, BURNS & GRAIN, LTD.

By



Paul G. Juettner
Reg. No. 30,270
Attorney for Applicant

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300 S. Wacker Drive - Suite 2500
Chicago, Illinois 60606
Tel.: (312) 360-0080
Fax: (312) 360-9315
Customer No.: 24978